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U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

RSPA-1998-4418-10

NOV 1 2002

Ms. Frances J. Henderson
Sonnenschein, Nath & Rosenthal
1301 K Street, NW
Suite 600
Washington, DC 20005

Dear Ms. Henderson:

This is in response to your October 31, 2002 application on behalf of Daicel Safety Systems, Inc., for renewal of DOT-E 12135, submitted in accordance with § 107.109, to authorize the transportation of certain gases by aircraft and cargo vessel, among others.

Enclosed is a copy of DOT-E 12135 (SECOND REVISION) with an expiration date of October 31, 2004. During a review of the exemption, we added a special provision in paragraph 8.k that only repeats requirements of the Hazardous Materials Regulations (HMR) for the transportation of Division 2.1 materials. This modification reflects recent changes to the HMR and increases awareness regarding transportation safety of 2.1 materials by aircraft and cargo vessel.

If you have any questions, please do not hesitate to contact me at (202) 366-4535.

Sincerely,

R. Ryan Posten
Exemptions Program Officer
Office of Hazardous Materials
Exemptions and Approvals

Enclosure

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NOV 1 2007

RSA-1998-4418-

DOT-E 12135
(SECOND REVISION)

EXPIRATION DATE: October 31, 2004

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Daicel Safety Systems, Inc.
Tokyo, Japan

U.S. Agent: Sonnenschein Nath & Rosenthal
Washington, DC

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the manufacture, mark, sale and use of non-DOT specification cylinders (pressure vessels) for use as components of automobile vehicle safety systems. These pressure vessels may be charged with non-toxic, non-liquefied gases, or mixtures thereof and are authorized for transportation in commerce subject to requirements and limitations specified herein. This exemption provides no relief from any Hazardous Materials Regulation (HMR) other than as specifically stated.

b. FIVE-YEAR TRANSPORTATION AUTHORIZATION: This exemption authorizes transportation of the pressure vessels identified herein for up to five years from the date of manufacture. This exemption provides no certification of safety for end use environments and life cycles.

c. EXEMPTION SCOPE LIMITATIONS: This exemption only applies to a package when it is an article of commerce in transportation. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, incorporation as a component of a vehicle or other device, or other uses not associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 173.301(a)(1) and 173.302a insofar as non-DOT specification cylinders are not authorized, except as specified herein.
5. BASIS: This exemption is based on the application of Daicel Safety Systems, Inc. dated October 31, 2002, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Non-toxic, non-liquefied gases and mixtures thereof/Proper shipping name as specified in § 172.101	2.1, or 2.2 as appro- priate	As appro- priate	N/A

A vehicle safety system or component which contains a quantity of pyrotechnic materials must be classed and approved as provided for in § 173.56 of the HMR. If the pyrotechnic material augments the volume of the gas in the pressure vessel, or in any way enhances the performance of the compressed gas, the device must be tested in the same configuration as when shipped.

7. SAFETY CONTROL MEASURES: Packaging prescribed is a non-DOT specification pressure vessel meeting the following requirements:
- a. PACKAGING:
- (1) The maximum service pressure at 70°F may not exceed 4560 PSIG. The minimum test pressure is the pressure of the contents at 200°F. The rated service pressure may not exceed 80 percent of the test pressure and the water volume of each pressure vessel may not exceed one liter.
- (2) Material of construction must conform to all requirements of § 178.65(b), except that aluminum is limited to 6061 alloy of T6 temper.

(3) Manufacturing requirements must conform to all requirements of § 178.65(c).

(4) The minimum wall thickness must be such that the wall stress meets the requirements of § 178.65(d).

(5) Openings and attachments must conform to all requirements of § 178.65(e).

(6) Each pressure vessel must be equipped with a pressure relief device designed to meet all the requirements for a rupture disk prescribed in the Compressed Gas Association (CGA) Pamphlet S-1.1. The pressure relief device must be capable of preventing rupture of the pressure vessel when subjected to fire test conducted in accordance with CGA Pamphlet C-14.

(7) Pressure vessels, components, and vehicle safety systems must be transported in strong outside packaging in accordance with § 173.301(k).

b. TESTING:

(1) Each pressure vessel must be tested as required in § 178.65(f) except that the hold time at test pressure specified in § 178.65(f) may be limited to that which is adequate to insure compliance with the requirements contained in § 178.65(f) subparagraphs (i) and (ii).

(2) A representative vehicle safety system, packaged as it would be for shipment, must be activated and no materials other than non-toxic, non-flammable vapors or gases may be expelled from the package.

8. SPECIAL PROVISIONS:

a. This exemption is limited to pressure vessels used as components of a vehicle safety system. The pressure vessels are excepted from the requirements of the HMR, Part 178 when the design has been certified by an Independent Inspection Agency, approved under § 173.300a as having met all the requirements of this exemption.

b. The Independent Inspection Agency's design certification must include test results and documents related to explosive classification and approval. A copy of

the certification must be maintained at each facility where the vehicle safety system is manufactured and by the Independent Inspection Agency for a period of 15 years from the date of completion of the design certification.

c. A person who is not a holder of this exemption, but receives a package covered by this exemption, may reoffer it for transportation provided no modification or changes are made to the package and it is offered for transportation in conformance with this exemption and the HMR.

d. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

e. Each packaging manufactured under the authority of this exemption must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Exemptions and Approvals for a specific manufacturing facility

f. A current copy of this exemption must be maintained at each facility where the package is manufactured under this exemption. It must be made available to a DOT representative upon request.

g. Daicel Safety Systems, Inc. must comply with all provisions of this exemption, and all other applicable requirements contained in the HMR, Parts 171-177. No modifications may be made to the pressure vessel, pyrotechnic components or production vehicle safety system which would affect the performance of the vehicle safety system or its compliance with the requirements of this exemption until such modifications have been reviewed, tested and certified by an Independent Inspector as meeting the requirements of this exemption.

h. Except when transported on passenger carrying aircraft, devices utilizing the non-DOT specification pressure vessel authorized herein are exempt from the requirements of 49 CFR Parts 100-199 when installed in a motor vehicle or in completed vehicle components such as steering columns or door panels.

i. This exemption is to serve as an authorization of The Competent Authority for the United States (CA-9812007) in accordance with the General Packing Instructions Part 3, Chapter 2, Paragraph 2.5 of the International Civil Aviation Organization Technical Instructions for the Safe Transportation of Dangerous Goods by Air (ICAO TI) and additionally meets the requirements of State Variation US 6. Pressure vessels or vehicle safety systems complying with this exemption are authorized to be shipped pursuant to Packaging Instruction 200 of ICAO TI.

j. MARKING:

Each pressure vessel must be durably marked as follows:

DOT E-12135/4560¹

lot No. xxxxx²

Manufacturer's Name

This Pressure Vessel May Not Be Refilled

¹ Where 4560 represents the design service pressure.

² Where xxxxx is the lot number as appropriate.

Note: Each line of these markings may be placed without regard to location or order on the pressure vessel.

k. Transportation of Division 2.1 (flammable gases) materials are not authorized aboard cargo vessel or aircraft unless specially authorized in the Hazardous Materials Table (§ 172.101).

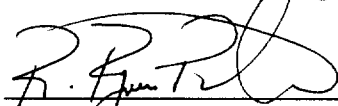
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, cargo aircraft only (see restriction in paragraph 8.k).
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel and aircraft used to transport the packages covered by this exemption. The shipper must furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
 - o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, Parts 171-180.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder of this exemption must inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



RA Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

NOV 1 1992

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: CWF/AM